

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KATHRYN TOWNSEND GRIFFIN, HELEN	:	
MCDONALD, and THE ESTATE CHERRIGALE	:	
TOWNSEND,	:	
	:	
Plaintiffs,	:	Docket No. 17-cv-5221 (LLS)
	:	
-against-	:	DECLARATION OF
	:	<u>PATRICK R. FRANK</u>
	:	IN OPPOSITION TO
EDWARD CHRISTOPER SHEERAN, p/k/a ED	:	DEFENDANTS' THIRD
SHEERAN, ATLANTIC RECORDING	:	MOTION <i>IN LIMINE</i>
CORPORATION d/b/a ATLANTIC RECORDS,	:	
SONY/ATV MUSIC PUBLISHING, LLC and	:	
WARNER MUSIC GROUP CORPORATION	:	
d/b/a ASYLUM RECORDS,	:	
	:	
Defendants.	:	
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Patrick R. Frank declares that the following statements are true:

1. I am a partner at Frank & Rice, P.A., counsel for the plaintiffs in this action. I have personal knowledge of, and am fully familiar with, the facts set forth in this Declaration. I respectfully submit this Declaration in opposition to defendants' motion for summary judgment, seeking to dismiss the Complaint of the plaintiffs, and to put before the Court certain documents and materials which are referenced in the accompanying papers.

2. Annexed as Exhibit 1 is a true and correct copy of the deposition excerpt of the Defendant, Ed Sheeran, Pages Eighty-Nine (89) through Ninety-Two (92).

3. Annexed as Exhibit 2 is a true and correct copy of the Case Docket for *Carey, et.al. v. Sheeran, et.al.*, Case Number: *1:18-CV-00214-JPO*.

4. Annexed as Exhibit 3 is a true and correct copy of the Case Docket for *HaloSongs, Inc., et.al. v. Sheeran, et.al.*, Case Number: *8:16-CV-01062-JVS-JCG*.

5. Annexed as Exhibit 4 is a copy of an e-mail from Ed Sheeran to his manager dated April 1, 2015.

6. Annexed as Exhibit 5 is a true copy of the deposition excerpt of the Defendant, Ed Sheeran, Pages Seventy-Seven (77) through Eighty (80).

7. Annexed as Exhibit 6 is a true copy of the deposition excerpt of the Defendant, Ed Sheeran, Page One-Hundred and Twenty-Four (124).

8. Annexed as Exhibit 7 is a copy of the Defendant's, Ed Sheeran's, affirmative defenses in the case of *Carey, et.al. v. Sheeran, et.al.*, Case Number: *1:18-CV-00214-JPO*.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 24, 2020



PATRICK FRANK